

**IN THE UNITED STATES DISTRICT COURT OF PENNSYLVANIA
WESTERN DISTRICT, ERIE DIVISION**

ERIE COUNTY ENVIRONMENTAL COALITION, et. al.))	
)	
Plaintiffs,)	CIVIL ACTION NO: 05-59E
)	
v.)	
)	
MILLCREEK TOWNSHIP SEWER AUTHORITY, et. al.))	
)	FOR INJUNCTIVE AND
Defendants.)	DECLARATORY
)	RELIEF AND FOR
)	CIVIL PENALTIES
)	

DECLARATION IN SUPPORT OF STANDING

I, **Cathy Pedler**, do hereby affirm and state:

1. I am a member of The GAIA Defense League and have been a member since November 2004. I am also a member of The Erie County Environmental Coalition. I have been a member since 2000. I have personal knowledge of the matters set forth herein, except where they are based upon information and belief.

2. The mission of **The GAIA Defense League:**

The purpose of the corporation is to, by utilizing the laws of the Commonwealth of Pennsylvania and the United States, protect the natural resources available to the citizens. The corporation intends to lawfully monitor the activities of the environmentally regulated community and when necessary, bring enforcement actions in the courts and administrative tribunals. Additionally, the corporation will undertake and promote the education of the citizenry in the protection of the natural resources. The corporation will also promote other civic interests such as assisting local governments on community building and sustainable development and conduct seminars and presentations to the public at large of a wide variety of related matters.

3. **The mission of Erie County Environmental Coalition:**

The Erie County Environmental Coalition (ECEC) is a network of regional conservation and environmental organizations that provides member organizations a united presence that will maintain and improve the quality of the environment and address related social justice concerns.

4. My present address is 912 W 2nd Street Erie, PA 16507.
5. I understand that this declaration is to be used in connection with litigation over MillCreek Township and MillCreek Township Sewer Authority's failure to perform its duties under the Clean Water Act. I am supportive of this litigation.
6. Walnut Creek is one of the 19 sub-basin watersheds in the Pennsylvania Lake Erie Watershed Basin. As a member of ECEC, GDL, the Lake Erie Region Conservancy (LERC), the Lake Erie Group of the Sierra Club (LKE Sierra), the Pennsylvania Lake Erie Watershed Association (PLEWA), and as the environmental sustainability coordinator for Mercyhurst College, I am involved on a daily basis with efforts to protect and restore our regional environment. As an officer in most of the above mentioned groups I represent the interests of other individuals who are involved with environmental protection and restoration efforts. We are involved in these efforts because we understand and believe that we, as individuals and as a human population, are directly connected to our local environment. We believe that our health and wellbeing are directly affected by the quality of our surrounding environment. Some of us believe that the interconnection of living things (e.g., humans and the local ecosystem) is also spiritual in nature. Intentional, long-term abuse of our local natural systems causes emotional stress to those of us holding these convictions.

We also understand that tourism related to the enjoyment of our natural areas is a large component of our region's economic sustainability. Untreated or improperly treated waste dumped into our creek and lake destroys aquatic life and creates direct human health hazards for those fishing, boating, or swimming in the creek or lake. One of the projects LERC and Mercyhurst College are working on involves creating an underwater preserve in the Pennsylvania waters of Lake Erie (<http://erieunderwater.org/>). The project proposes to attract recreational scuba divers to the preserve to enjoy the natural and cultural resources of the lake. The actions of Millcreek Township, and Millcreek Township Sewer Authority have jeopardized this project by polluting the lake and the proposed preserve.

Personally, I have ceased to swim in the lake. I had enjoyed swimming in the lake frequently (ca. 15 times/year). I have also received scuba certification as part of the underwater preserve project, but have been reluctant to dive in the lake.

A number of our groups' members, although directly impacted by this irresponsible long-term action, have been unwilling to speak out publicly because they feared that any statements against PA Department of Environmental Protection, Millcreek Township, and Millcreek Township Sewer Authority would jeopardize their jobs and/or their funding. As a director in the abovementioned organizations, I represent these individuals whose employment and recreation takes them into Walnut creek and Lake Erie for education, research, and recreation purposes.

7. My use of Walnut Creek has been significantly impacted by MillCreek Township and MillCreek Township Sewer Authority's continuous discharge of significant amounts

of raw sewage and/or inadequately treated sewage into Walnut Creek and its surrounding tributaries without a NPDES permit or a Pennsylvania water quality management permit in the following ways:

I no longer swim in Lake Erie. I am reluctant to scuba dive in the Lake Erie. The Intentional, long-term abuse of our local natural systems by Millcreek Township, and Millcreek Township Sewer Authority has caused me emotional stress due to my spiritual convictions regarding the interconnection of living things. The actions of Millcreek Township, and Millcreek Township Sewer Authority have jeopardized the success of our Lake Erie Underwater Preserve project by polluting the lake and the proposed preserve. The pollution of Walnut Creek undermines watershed conservation and restoration efforts of the environmental organizations that I direct or of which I am a member.

8. I believe that my loss of enjoyment of Walnut Creek is a direct result of MillCreek Township and MillCreek Township Sewer Authority's failure to ensure that water quality standards are implemented within the township.
9. This court has the ability to ensure that Pennsylvania's waters are preserved for my use and enjoyment, as well as future generations, by forcing MillCreek Township Sewer Authority and MillCreek Township to comply with the Clean Water Act.

I VERIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
AND CORRECT. EXECUTED ON 11/8/05 (date).

Cathy Peller
NAME